

**IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF MASSACHUSETTS**

PETER J. MILLER, an individual,
CLIFFORD HOYT, an individual, and
CAMBRIDGE RESEARCH AND
INSTRUMENTATION, INC.,
a Massachusetts corporation,

Plaintiffs,

v.

PATRICK TREADO, an individual, and
CHEMIMAGE CORP., a Delaware
corporation,

Defendants.

Civil Action No. 05-10367-RWZ

MOTION TO PERMIT COUNSEL DAVID P. BADANES TO APPEAR PRO HAC VICE

Pursuant to Rule 83.5.3(b) of the Local Rules of this Court, Erin E. McLaughlin, counsel of record for the Plaintiff, hereby moves this Court to permit David P. Badanes to appear on the Plaintiff's behalf as counsel *pro hac vice* in the above-captioned case.

In support of this motion, the undersigned counsel states the following:

1. Erin E. McLaughlin is a member in good standing of the bar of this Court.
2. David P. Badanes is an associate in the law firm of Cohen, Pontani, Lieberman & Pavane in New York.
3. Mr. Badanes is a member in good standing of the bar of the State of New York, and the federal bars of the Eastern District of New York and the Southern District of New York.
4. Mr. Badanes has been admitted *pro hac vice* in the federal bars of the Central District of California, the District of Tennessee and the District of New Jersey.
5. There are no disciplinary proceedings pending against Mr. Badanes as a member of the bar in any jurisdiction.

6. Mr. Badanes has been provided with the Local Rules of the United States District Court for the District of Massachusetts and has indicated in his Certificate (attached hereto) that he is familiar with them.

7. The Certificate of David P. Badanes in Support of this Motion to Permit Counsel to Appear *Pro Hac Vice* is attached hereto as Exhibit A.

Respectfully submitted,

**PETER J. MILLER, CLIFFORD HOYT,
and CAMBRIDGE RESEARCH AND
INSTRUMENTATION, INC.,**

By their attorneys:

/s/ Erin E. McLaughlin

Brian L. Michaelis (BBO# 555159)
Erin E. McLaughlin (BBO# 647750)
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/s/ Teodor J. Holmberg

Martin B. Pavane
Teodor J. Holmberg (BBO# 634708)
David P. Badanes
COHEN, PONTANI, LIEBERMAN AND
PAVANE
551 Fifth Avenue
New York, New York 10176
Tel. (212) 687-2770
Fax (212) 972-5487

Dated: December 20, 2006

LOCAL RULE 7.1(A)(2) CERTIFICATION

Counsel for Plaintiffs conferred with Defense Counsel Anthony Fitzpatrick on December 20, 2006 prior to filing this motion. Attorney Fitzpatrick had no objections to the filing of this motion.

/s/ Erin E. McLaughlin
Erin E. McLaughlin

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing pleading was served via regular mail on this 20th day of December, 2006 to:

Anthony J. Fitzpatrick
Duane Morris LLP
470 Atlantic Avenue, Suite 500
Boston, MA 02210

/s/ Erin E. McLaughlin
Erin E. McLaughlin

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**CERTIFICATE OF DAVID P. BADANES IN SUPPORT OF MOTION
TO PERMIT COUNSEL TO APPEAR PRO HAC VICE**

Pursuant to Rule 83.5.3(b) of the Local Rules of this Court and in support of the attached Motion to Permit Counsel to Appear *Pro Hac Vice*, I, David P. Badanes, having been duly sworn, on my oath do say as follows:

1. I am an associate in the law firm of Cohen Pontani Lieberman & Pavane LLP.
2. I am a member in good standing of the bar of the State of New York, and the federal bars of the Eastern District of New York and the Southern District of New York.
3. There are no disciplinary proceedings pending against me as a member of the bar in any jurisdiction.
4. I have been provided with the Local Rules of the United States District Court for the District of Massachusetts and I am familiar with them.



David P. Badanes

SWORN TO AND SUBSCRIBED before me this 2 day of December, 2006.



Notary Public

My Commission Expires: Feb 28 2010

ANITA WALDMAN
Notary Public, State of New York
No. 01WA4826997
Qualified in Kings County
Commission Expires Feb. 28, 2010